IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

Bail Appl..No. 6080 of 2007()

CRIME NO.492/07 OF TRIKKAKARA POLICE STATION

: PETITIONER/ACCUSED

NIZAM, S/O HANEEFA,
KALLUKUZHY HOUSE, POICHIRA KARA,
KAKKANAD VILLAGE.

BY ADV. SRI.JAISON JOSEPH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
TRIKKAKARA POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6080 of 2007

Dated this the 8th day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sections 308 and 324 I.P.C. He is the sole accused. The alleged incident took place on 9.9.07 in a bar. Consequent to certain disputes which arose instantaneously - there is no allegation of any prior motive, the petitioner is alleged to have broken a beer bottle and used the same as a weapon to cause a stab injury on the neck of the victim. The victim was admitted in the hospital. He had to undergo an operation. His statement was recorded in the crime on 12.09.07. The petitioner was arrested on 14.09.07. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 17.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-